

HOUSE BILL 430

By White

AN ACT to amend Tennessee Code Annotated, Title 37;
Title 39 and Title 40, relative to acts committed by
juveniles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 37-1-134, is amended by adding the following as a new subsection:

(m) If the juvenile court does not transfer a child who is sixteen (16) years of age or older to criminal court pursuant to this section and the child is subsequently found by the court to have committed an act that would be a Class A, B, or C felony if committed by an adult, then the court may impose a disposition of blended sentencing pursuant to § 37-1-131(g).

SECTION 2. Tennessee Code Annotated, Section 37-1-131, is amended by adding the following as a new subsection:

(g)

(1) As used in this part:

(A) "Blended sentencing" means a combination of any disposition otherwise provided for in this section and a period of adult probation, pursuant to title 40, chapter 28, and the Tennessee Criminal Sentencing Reform Act of 1989, compiled in title 40, chapter 35, to be served after the child turns eighteen (18) years of age and which ends on or before the child's twenty-fifth birthday; and

(B) "Offender" means a person who was sentenced to a disposition of blended sentencing for an offense committed while the

person was a child, but who has subsequently turned eighteen (18) years of age or older.

(2) If the juvenile court adjudicates a child who is sixteen (16) years of age or older to be a delinquent child due to commission of an offense that would be a Class A, B, or C felony if committed by an adult, then the court may impose a disposition of blended sentencing, under this subsection (g).

(3) Within six (6) months before the child's eighteenth birthday, the juvenile court shall hold a hearing to review the child's circumstances and determine the reasonable conditions of probation to be imposed during the period of adult probation.

(4) During the time the offender is serving on probation, the juvenile court has the same powers as a trial court, including, but not limited to, the power to preside over revocation proceedings, pursuant to § 40-35-311. If the offender is found to have violated the conditions of probation or committed a new offense, then the juvenile court may impose any consequence that may be imposed on an adult offender serving a period of probation and is not limited to the dispositions authorized by this section.

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it, and applies to acts committed on or after that date.